

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION

IN RE: CASE NO. 04-15677

STEVEN ERIC HUFFMAN

Debtor

MARTIN E. SEIFERT, TRUSTEE

Plaintiff

vs.

STEVEN ERIC HUFFMAN

Defendant

PROC. NO. 05-1338

DECISION AND ORDER

At Fort Wayne, Indiana, on May 26, 2006

Plaintiff's motion for default judgment, filed on May 24, 2006, is DENIED due to Plaintiff's failure to serve the summons and complaint as required by Bankruptcy Rule 7004(b)(9), which requires mailing "the summons and complaint to the debtor. . .and, if the debtor is represented by an attorney, to the attorney. . . ." In this case, debtor is represented by counsel to wit Thomas Brown.

SO ORDERED.

/s/ Robert E. Grant
Judge, United States Bankruptcy Court